

REMARKS

Claims 1, 3 and 5-17 are pending. Claims 1, 9, 11, 15-17 have been amended. Reconsideration is respectfully requested.

1. Claim Objections

Claim 17 was objected to for depending on itself. Claim 17 has been amended to depend from claim 16.

2. Rejection of Claims 1, 9, 11 and 15-17 Under §112

Claims 1, 9, 11 and 15-17 stand rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement because the claim term “wherein said protection data is only modifiable so as to increase said protection level by permanently reducing access to a part of the protected data memory portion” allegedly lacks supporting disclosure in the specification. The Applicant respectfully disagrees. Regarding the protection data only being modifiable so as to increase the protection level, this language is supported at least by the following portions of the specification (citations are to the published application 2006-0156033):

- “the protection level can only be raised, never decreased” – paragraph 0045.
- “said protection data being modifiable only to be increased” and “the protection can only be increased” – paragraph 0046.
- “said protection data being programmable only to increase the protection level” – paragraph 0079.

The disclosure and claim language make clear that once access to a part of the protected data memory portion is reduced, it can not be regained.

The Examiner takes specific issue with the phrase “permanently reducing access.” Not only do the citations above disclose the permanent reduction of access (as reflected by the phrases “can only be raised, never decreased” or “can only be increased” or “only to increase the protection level”), but the permanent reduction of access is further disclosed as follows:

- “Once protected, there is no longer a possibility to remove the protection from the chip. The decrease of said protection is no more possible.” – paragraph 0092.
- “The invention allows to keep such connections for testing the chip and/or the device, and then to disable it in a non-reversible way.” – Paragraph 0060.

Therefore, it is respectfully submitted that the specification fully supports the rejected claims. However, to expedite the prosecution of this case, the claims have been amended for clarity to replace “permanently” with “non-reversibly”, which is language directly from the specification. Withdrawal of this rejection is respectfully requested.

3. Rejection of Claims 1, 3, 5, 7-9 and 11-12 Under §102(b)

Claims 1, 3, 5, 7-9 and 11-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,826,007 (Sakaki). The Applicant respectfully traverses this rejection.

Claims 1, 9 and 11 as amended recite, among things, that the protection data (which defines the protection level for authorizing or denying access to the protected data stored in the protected data memory portion by the microprocessor) is modifiable only to increase the protection level by non-reversibly reducing access to a part of the protected data memory portion.

In contrast, Sakaki describes a memory data protection circuit that selectively disables and enables a test mode for a micro computer. The circuit uses an S1 bit and an S2 bit, where with both bits low, a shift to the test mode is possible, with one bit high and one bit low a shift to the test mode is impossible, and with both bits high a shift to the test mode is possible again. See col. 4, line 66 to col. 5, line 12. When the test mode is disabled, the CPU cannot execute the contents of the memory test program stored in the test-only memory 17. See col. 5, lines 58-62. However, when the test mode is enabled again, the memory is erased but accessible again. See col. 5, line 63 to col. 6, line 25. Therefore, Sakaki discloses that any increase in protection level is reversible, that the increased protection level can be subsequently decreased to provide

access back to the previously inaccessible protected data memory portion (i.e. the protection is modifiable to increase and decrease the protection level, not just only to increase the protection level as claimed). There is no disclosure or suggestion in Sakaki to make the increased level of protection non-reversible. Therefore, it is respectfully submitted that Sakaki fails to disclose protection data that is modifiable only to increase the protection level by non-reversibly reducing access to a part of the protected data memory portion, as recited by the rejected claims.

It is therefore respectfully submitted that claims 1, 9 and 11 (and claims 3, 5, 7-8 and 12 dependent thereon) are allowable over Sakaki.

4. Rejection of Claims 6 and 10 Under §103(a)

Claims 6 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaki in view of U.S. Patent Publication 20050033951 (Madter). The Applicant respectfully traverses this rejection. Claims 6 and 10 depend from claim 1 or claim 9, and are considered allowable for the reasons set forth in Part 3 above. The addition of Madter fails to cure the deficiencies of Sakaki.

5. Rejection of Claim 13 Under §103(a)

Claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaki in view of Madter and U.S. Patent 6,118,870 (Boyle). The Applicant respectfully traverses this rejection. Claim 13 depends from claim 1, and is considered allowable for the reasons set forth in Part 3 above. The addition of Madter and Boyle fails to cure the deficiencies of Sakaki.

6. Rejection of Claims 14-17 Under §103(a)

Claims 14-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaki in view of Madter and U.S. Patent Publication 20030014653 (Moller). The Applicant respectfully traverses this rejection. Claims 14-17 depend from claim 11, and are considered allowable for the reasons set forth in Part 3 above. The addition of Madter and Moller fails to cure the deficiencies of Sakaki.

In view of the above, it is respectfully submitted that claims 1, 3, and 5-17 are in condition for formal allowance, and early and favorable action to that end is respectfully requested.

Respectfully submitted,

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